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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/28/1999

TAKESHI ITO

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26304

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07/22/2004

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EXAMINER

DASTOURI, MEHRDAD

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 07/22/2004

19

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/428,756

Applicant(s)

ITO, TAKESHI

Examiner

Mehrdad Dastouri

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-12, 15-18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-12, 15-18 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed April 12, 2004, has been entered and made of record.
2. Applicant's arguments have been fully considered but they are moot in view of new grounds of rejection.

Claim Objections

3. Claims 9 and 10 are objected to because of the following informalities:

In Claim 9, Line 15, "said a second" should be corrected to "a second".

Claim 10 depend on Claim 9.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-12, 15-18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaum (U.S. 5,959,717) in view of Gibson (EP 0 596 823).

Of these claims independent Claim 9 is the most detailed and will be addressed, independent Claims 5, 7, and 11 merely recite broader limitations of claim 9.

As per Claim 9, Chaum teaches:

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an image data encoding means that encodes, each unit time, the color part of a moving image based on digital data that is input and generates image data (figure 3, elements 34 and 38, col. 8, 11. 17-30); and

a transmission means that transmits said image data (col. 11, 11. 10-15) ;

and said data receiver including

a reception means that receives said image data (figure 4, video source from camera 46, col. 11, 11. 19-20),

a display means that displays a first moving image based on said image data (figure 4, screen 32);

a light sensing means that senses a part or all of the first moving image displayed on said display means, said light sensing means having a display assembled therein (figure 4, camera, element 46, cameras have on-board view screens or viewfinders that provide the image to user and the motivation to have an on-board view screens or viewfinder would be to insure that the camera is properly aligned or located to so that brightness, color balance, alignment, etc. can measured correctly so that proper adjustment feedback can be provided to the projector/video),

a digital data decoding means that detects the change each unit time in the color of part or all of the first moving image sensed by said light sensing means and decodes and generates the digital data (col. 11, 11. 23-26),

means for displaying said moving image on the display of said light sensing means (cameras have on-board view screens or viewfinders that provide the image to user and the motivation to have an on-board view screens or

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viewfinder would be to insure that the camera is properly aligned or located to so that brightness, color balance, alignment, etc. can be measured correctly so that proper adjustment feedback can be provided to the projector/video),

wherein said means for displaying said moving image on said display of said light sensing means is dependent on said digital data that is generated and decoded from said digital data decoding means. Chaum teaches that the feedback system can be used to give the projector an adjustment signal to correct for over brightness or a similar problem (col. 11, 29-33).

It would have been obvious to one of ordinary skill in the art to use have on-board view screens or viewfinders in the system of Chaum to insure that the camera is properly aligned or located to so that brightness, color balance, alignment, etc. can be measured correctly so that proper adjustment feedback can be provided to the projector/video.

Chaum do not specifically disclose displaying a second moving image on the display of said lighting means, wherein the second moving image is dependent on the digital data that is generated and decoded from the digital decoding means.

Gibson discloses method and system for accessing associated data sets in a multimedia environment of a data processing system additional graphic element (second moving image) associated with the specified animated element (first moving image) are displayed on display unit (Figures 2, 3A-3C, Running persons 302 and 304; Column 4, Lines 50-58, Column 5, Lines 1-22).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chaum's invention according to the teachings of Gibson because it will expand the versatility of multimedia presentation to associate moving images to notify a user of the existence of an associated data set during a relevant portion of multimedia presentation (Gibson, Column 2, Lines 13-24).

Claims 5, 7 and 11 merely recite broader limitations of claim 9 above and analogous remarks apply.

As per Claims 6, 8, 10 and 12, Chaum teaches:

wherein the color change at least on of the elements hue, brightness and chroma changes (col. 11, ll. 28-30).

As per Claim 15, Gibson further teaches:

the step of removing said first moving image from said display means after displaying said second moving image on said display of said light sensing means (Figures 3A-3C; Column 4, Lines 50-58, Column 5, Lines 1-51. Person 302 displayed in Figure 3B is removed in displayed images in Figure 3C.

It would have been obvious to one of ordinary skill in the art to remove the moving image to provide new "moving" images with further information to be decoded.

As per Claim 16, Gibson further teaches:

wherein said second moving image is displayed on the display of said light sensing means after said light sensing means senses a part or all of the first

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moving image displayed on said display means (Figures 3A-3C; Column 4, Lines 50-58, Column 5, Lines 1-51).

As per Claims 17 and 20, they recite substantially the same limitations as Claim 15 above and analogous remarks apply.

As per claim 18, Chaum teaches:

wherein light sensing means is a portable communication terminal (figures 4, computer analysis system) including storage means for storing one or more images displayed on said light sensing means display. It would have been obvious to one of ordinary skill in the art to use the memory associated with the processor of Chaum as shown in Figure 4 to store images for later recall.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

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the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mehrdad Dastouri whose telephone number is (703) 305-2438. The examiner can normally be reached on Monday to Friday from 8:00 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on (703) 308-6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mehrdad Dastouri
Primary Examiner
Group Art Unit 2623
June 27, 2004

MEHRDAD DASTOURI
PRIMARY EXAMINER

Mehrdad Dastouri